



NANA NEWS

DECEMBER 2008

JANUARY 2009

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Neighborhood Association
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Editor: Charlene Morse

PRESIDENT'S MESSAGE

The approach of the holiday season, with the end of one year and the beginning of a new year, is a time for reflection and anticipation. I am truly grateful for the opportunities that this year has given me as president of NANA. Working with NANA's administrator, elected officials, committee chairs and volunteers has given me a chance to see up close their commitment to and enthusiasm for our neighborhood. With your support, we have done a great deal of good for our community – not always something that bore fruit immediately, but at the least preparing the ground for a harvest to come. I look forward to 2009 with tremendous anticipation, for our neighborhood, our city, our state and our nation. We all have so very much to be thankful for; we are all truly blessed to be alive here and now. Take the time to enjoy your friends and family now, and commit to making the coming year the best year yet. I wish all of us the best of the holidays and a better, brighter new year.

Frank Newbauer

UPDATE ON CHRONIC NUISANCE 761

By Michelle Baxter & Chris Kearney

City Municipal Code (CMC) Chapter 761 - also known as Chronic Nuisance Premises ordinance - went into effect on January 2007. Shortly thereafter, the Greater Cincinnati & Northern Kentucky Apartment Association (GCNKAA) filed a lawsuit against the city of Cincinnati asserting that this ordinance was unconstitutional to landlords. The rationale was that landlords should not be held liable or responsible for the behavior of their tenants or guests of tenants. In December of 2007, the GCNKAA and the city of Cincinnati opted to pursue mediation rather than go to trial. From January 2008 to present the two parties negotiated revisions to the Chronic Nuisance Premises Ordinance that the City Manager, Milton Dohoney, signed off on and is seeking City Council approval. A public hearing on this matter was held on Tuesday, November 25th at the Vibrant Neighborhoods Committee in which NANA representatives gave testimony against revising the ordinance and asking for the current version to be enforced. A decision is pending.

NANA's involvement in this important quality of life issue goes back to late Y2006 when this ordinance was originally championed by Councilmember Jeff Berding. NANA opposes the City Manager's suggested modifications to CMC 761 for four main reasons:

1. The criminal penalties have been eliminated.
2. Removes the authority of the Police chief to issue a nuisance abatement order within 30 days in receipt of notice.
3. It gives a *free pass* to negligent landlords for an additional two years for any subsequent nuisance activities.
4. It does not define an acceptable nuisance abatement plan.

Also, this law—without the proposed changes—is working just fine in other cities comparable to or larger than Cincinnati, and even more expansive by including commercial and single-family dwellings. Why is this law NOT being enforced in our City?

NANA was the first neighborhood in the city to proactively utilize this new enforcement tool, but it proved to be an arduous process. Here is an overview.

(Continued on page 3)

NANA General Meetings North Avondale Recreation Center 617 Clinton Springs

Tuesday, December 9, 7:30 p.m.



AGENDA



- **NSP 2009**

Tuesday, January 11, 7:30 p.m.

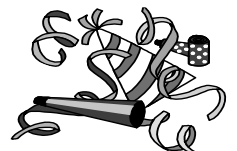
AGENDA



- **Community-Driven Crime Control Model (CDCC) Dr. Kam C. Wong, J.D., Ph.D., Professor - Department of Criminal Justice at Xavier <http://cdccinstitute.com/>**

Pay your NANA Dues Today!

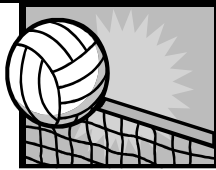
Happy Holidays
Happy New Year



From The North Avondale
Neighborhood Association

NORTH AVONDALE

•617 Clinton Springs • 961-1584
northavondale@cincinnati-oh.gov



➤ **Holiday Camp**

Monday, Dec 22-Wednesday, Dec 24 (\$15 per day, 7am-6pm except 12/24 - close at 4pm)

Monday, Dec 29-Wednesday, Dec 31 (\$15 per day, 7am-6pm)

➤ The Recreation Center will be closed **Thursdays December 25th and January 1st. Monday, January 19th** the Rec Center will also be closed for Dr. Martin Luther King Jr. holiday.

➤ On Monday, December 8th, **basketball league** games begin at N. Avondale Recreation Center. Come out and support the youth by cheering at one of their games!

➤ A **12 & under basketball team** will play in a tournament the week after Christmas. Questions? Call Randy Wagner at 961-1584. (Free-but must have membership)

➤ **Holiday Art Show** Friday, December 12th from 6:30-7:30 (Free admission, items for sale)

➤ **Healthy Activities**

- **Yoga** Mon & Wed from 6-7pm, Free with membership
- **Aerobics Workout Party** Tues & Thurs. 6-7:30 and Sat 12:15-2pm, \$25/month or \$5/class plus membership
- **Tai Chi** Thursdays at 6pm, Free with membership
- **Senior Line Dancing** Mon & Wed. 10-11:30am, Free with membership
- **Weight Room**, \$10 per quarter with membership
- **Sauna**, Free with membership

➤ Center memberships are only \$15 Adults and \$5 Seniors/Teens/Children.

➤ **(Records/Professional Day) Mini-Camp**

Friday, January 2, 2009 & Friday, January 16, 2009 (\$15 per day, 7am-6pm)

➤ Saturday, January 24 **Do Right walking event** from 10 am - Noon



NORTH AVONDALE MONTESSORI

•363-3900 • 876 Glenwood

• www.namrockets.org/

Fathers at North Avondale Montessori (NAM) have a unique opportunity to help their school, build relationships, and have fun. NAM has an active and fun "Fathers Group". This fall, the group helped NAM move into a temporary location - the former Burton School - that NAM will use until their new school building opens in the fall of 2010. The "Fathers Group" has since helped with unpacking, painting, landscaping, the creation of new "Peaceful Playground" and other projects that beautify our temporary location and make it feel like home. The "Fathers Group" has also organized fun activities that help families connect, such as when 60 members of the NAM community watched the Reds thrash the Brewers 11-2 and the October Camping trip to Stonelick State Park, with its hayrides, pumpkin carving, and its "haunted hike".

Impact the World in 30 minutes!

WE NEED YOUR HELP!!!

**North Avondale Montessori (NAM)
is in need of LOTS of tutors for 2008-2009
School Year!**

YOU can be the one to help a child . . .
And one child at a time . . . we can change the world.

Please seriously consider being a tutor at NAM.
Just 30 minutes a week will make a world of difference.
Every Minute Counts!

Sahara Shackelford, Coordinator of Volunteers
363-3934 Shacksa@cps-k12.org

Any time Mon-Fri, 8 AM-2:00 PM

Before work ■ Lunch-time ■ After 3rd shift

Parents ■ Grandparents ■ Friends ■ Relatives ■ Guardians
Retirees ■ Co-workers ■ Businesses ■ Religious Groups ■ Clubs ■
Fraternities ■ Sororities ■ College Students ■ For Service Hours

THE NEW SCHOOL MONTESSORI
•281-7999 • 3 Burton Woods Lane
•www.thenewschool.cc

"Pure Fun" — Entertainment Weekly

"Some of the most inspired and intelligent kids lyrics ever." - Amazon.com

For the third straight year, The New School Montessori is proud to bring Justin Roberts to the greater Cincinnati area. He will perform two concerts at the Mayerson JCC on Saturday, February 7.

In 1998, Justin Roberts released his first CD, *Great Big Sun*, and the critics took note. Sesame Street Parents Magazine named the collection its "Best Music Gift of the Year." Since then Justin has released 8 more CDs with his latest called *Pop Fly*.

Justin's music has appeal to both kids and adults with lyrics that are unexpectedly intelligent and whimsically rocking. We've made sure there's ample room for wiggling in the aisles and up front for those who want a real dance floor under their feet.

Justin has performed in front of millions of people on The Today Show and has received raves from national media including The New York Times, Newsweek, People Magazine, Entertainment Weekly, and The Chicago Tribune.

We hope you'll join us on **February 7th** for an afternoon of what People Magazine calls "On your feet fun and laugh-out-loud funny."

Tickets can be purchased at www.mycommunitytickets.com (Enter 45236 as the zip code to quickly find the listing) or at The Blue Manatee Bookstore for \$15. Show times are at 11:00 and 1:00 on Saturday, February 7 at Mayerson JCC in Amberly Village.

Ann Baumgardner Development/Marketing Director

(Continued from page 1)

- On September 7th, 2007, NANA met with Assistant City Manager, Scott Stiles, and Captain Isaac from District 4 and Ernie McAdams from the City's Law Department. Mr. McAdams stated in that meeting, "that CMC 761 was not being selectively enforced." Michelle Baxter presented data and public records in the meeting that proved, contrary to his assertions that the law had never been enforced as it was written (i.e. to the *letter of the law*). NANA's Landlord Accountability Committee informed CMC 761's sponsor, Jeff Berding, that CMC 761 was not being enforced. Then on October 9th 2007—when Councilman Jeff Berding was running for re-election—he came to NANA's General Meeting and announced that CMC 761, was reinstated by Law and public safety meeting per LTC Damasi (earlier that same day). NANA's obvious question was, "*How can a law be reinstated when it had never been un-instated? There was never an injunction so this essentially confirms that the law was not being enforced for the first ten months of its existence*".
- On January 16th 2008, NANA, with then President Tim Yosmali, met again with Councilman Jeff Berding in his office to ask for assistance in seeing that this ordinance was truly enforced. Berding promised NANA a place at the table during revisions to the ordinance. Berding stated to Michelle that North Avondale knows more about this law than anyone else.
- On March 6th NANA meet with Councilman Berding, LTC James Whalen (CPD) and Christine Zimmer (Law Dept). NANA was promised in that meeting that the Police and Law department would follow the letter of the law vs. the spirit of the law to abate chronic nuisances.
- On October 1st, 2008, NANA discovered that City Manager Dohoney made proposed changes to CMC 761. Mr. Dohoney submitted these changes to the Vibrant Neighborhoods, Recreation and Public Services Committee for approval. NANA submitted a list of questions concerning the proposed changes to Councilmember Laketa Cole. On October 14th NANA (President Newbauer, Amy Yosmali, Charlene Morse, Chris Kearney, Michelle Baxter, Gerry Kraus) testified at the Committee Meeting in strong opposition to the proposed changes. Ms. Cole was very supportive of NANA's position and tabled the approval until a written report by Christine Zimmer, Cincinnati Law Department, for community input was submitted. The questions NANA submitted are still not answered nor the requested report presented
- On November 25th a Public Hearing was held for community input as part of the Vibrant Neighborhoods Committee Meeting. Powerful testimony given by NANA (Chris, Michelle, Charlene, Marvin who read parts of Amy's letter to the City) was presented at the Public Hearing.
At the hearing NANA presented the list of questions regarding the City Manager's proposed modifications to CMC 761 that are public record and will be taken into account when the Law Department prepares its report. NANA also presented the Y2008 nuisance notification

letters* sent by our District 4, along with all the other districts:

- **0 nuisance letters** went out from **District 2 & District 3**
- **1 letter** went out from **District 1**
- **6 letters** went out from **District 5**
- **Letters** went out to **30 properties in District 4** with North Avondale receiving the most letters involving 12 properties. The balance of the letters went to *Avondale, Mt. Auburn and Walnut Hills*.
 - Of the 12 properties receiving letters in North Avondale, 7 have responded with nuisance abatement plans
 - 3 of those plans are from one landlord with 3 different nuisance properties. Those 3 plans are almost identical with even the same typos.
 - These twelve properties have proceeded to accumulate 273 additional nuisance calls after receiving their nuisance notification letters. Therefore, it is very important that these abatement plans be periodically reviewed for effectiveness and progress.

It was gratifying to have NANA's concerns affirmed by each councilperson on the Vibrant Neighborhoods Committee: Ms. Laketa Cole, Ms. Roxanne Qualls, Mr. Chris Monzel and Mr. Cecil Thomas. The City Manager's suggested modifications to CMC 761 were held back in committee until the Law Department (Mr. Ernie McAdams and Ms. Christine Zimmer) can report back with a report on how best to proceed from here such that the public's interests are put ahead of all other interests. We would not be in this position today if it wasn't for the broken promises or if the law was being enforced. Hopefully, with this new found interest and support as well our lessons learned the New Year will move us forward to a safer community

The following links are on www.northavondalecincinnati.com Current Issues page.

- To view the ordinance go to: <http://www.municode.com/resources/gateway.asp?pid=19996&sid=35>
- To view the proposed changes go to: http://city-egov.cincinnati-oh.gov/Webtop/ws/council/public/child/ResultSet?w=doc_no%3D%27200801151%27&rpp=-10 (changes to the ordinance are underlined)
- To view our questions go to: http://city-egov.cincinnati-oh.gov/Webtop/ws/council/public/child/ResultSet?w=doc_no%3D%27200801431%27&rpp=-10 Click communication

**A property with too many (as defined in the ordinance) arrests and calls for service is considered a public nuisance and receives a letter from the Police. Within 30 days the landlord is required to present a written plan*

- **District 1** (*Downtown, Over-the-Rhine, Mount Adams, Pendleton Queensgate, West End*) **District 2** (*California, Columbia Tusculum, Evanston, East End, East Walnut Hills, Hyde Park, Linwood, O'bryonville, Oakley, Pleasant Ridge, Madisonville, Mount Lookout, Mount Washington, Kennedy Heights*) **District 3** (*East Westwood, Westwood, Price Hill, English Woods, Fay Apartments, North & South Fairmount, Milhvale, Riverside, Saylor Park, Sedamsville and South Cumminsville*) **District 5** (*Camp Washington, Clifton, College Hill, Fairview, Findlater Gardens, Mount Airy, Northside, Silver Oak Estates, Spring Grove Village, University Heights, Winton Terrace*)

YOUR NEIGHBOR

Michelle Baxter (Clinton Springs) was awarded by the Cincinnati Police for Volunteer Programs and recognized for Dedicated Service for North Avondale. Congratulations to NANA's volunteer extraordinaire!

Petra van Nuis (formerly Burton Woods) (www.petrasing.com) and her husband guitarist, Andy Brown (www.andybrownguitar.com) will perform **Friday, December 26 & Saturday, December 27** with bassist Joe Policastro and drummer Jim Leslie 8:30 - 12:30 pm Blue Wisp Jazz Club www.thebluwisp.com 318 E. 8th St. 241-9477 \$15 at the door.

NEIGHBORHOOD SUMMIT 2009
SATURDAY, January 24
 Cintas center, Xavier University

North Avondale Business Association

Meeting

Date: Tuesday, January 27, 2009

Start Time: 7:00 PM Duration: 1 Hour

Location: Patricia Baxter, 3950 Red Bud

Contact: Amy Yosmali ayosmali@fuse.net 368-8536

➤ **The Business Associations website** is now up and running. The web address is:

www.northavondalebusinesses.com

➤ **NABA Book Club**

When: 4:00pm **Friday January 9th, 2009**

Where: 303 E. Mitchell Avenue, 45217

RSVP: naba@northavondalebusinesses.com All welcome!

At the book club meeting on January 9th, we will discuss "Made to Stick: Why some Ideas Survive and Others Die", by Chip Heath & Dan Heath.

NANA EXECUTIVE BOARD, COMMITTEE CHAIRS & IMPORTANT CITY NUMBERS

President: Frank Newbauer _____ 751-5897
 1st VP: Deborah Elkins-Brown _____ 861-4108
 2nd VP: Sulayman Bajo _____ 290-8781
 3rd VP: & Landlord Accountability: Michelle Baxter _____ 475-0441
 Corresponding Sec.: Curtis Arthur _____ 967-3619
 Recording Secretary Nikki Kittrell _____ 281-5646
 Treasurer: Fred Fegan _____ 861-8378
 Beautification: Ursula Hassel _____ 751-4546
 City Liaison: Gerry Kraus _____ 861-3939
 Education & Landlord/Tenant Relations: Pauline Daly _____ 751-8334
 Legal Chairperson:
 Master Plan: Tim & Amy Yosmali _____ 641-1244

Neighborhood Issues: John Jones _____ 281-2596
 Welcome: Grace Hill _____ gracehill@fuse.net
 NANA Administrator & NANA News Editor: Charlene Morse _____ 221-6166
 City Complaint/Request Hotline _____ 591-6000
 Police District 4 _____ 569-8600
 Paul Graves Neighborhood Officer _____ 569-8654
 Nonemergency Police _____ 765-1212
 To just make a crime report (no police visit) _____ 352-2960
 Request A Recycling Bin _____ 242-4600
 Report Air Odors 24/7 _____ 946-7777
 To learn about Crime in Cincinnati visit: _____ Crimereports.com
 Track property code violations _____ http://cagisperm.hamilton-co.org/cpop/



**GET INVOLVED! COME TO THE
 DECEMBER 9TH NANA MEETING
 JANUARY 13TH NANA MEETING
 PAY YOUR 2008 NANA DUES NOW**

Current Resident Or:

NON-PROFIT
 U S POSTAGE
 PAID
 CINCINNATI,
 OHIO
 PERMIT
 NO. 7243

Cincinnati's best address with: Beautiful Homes, Great Neighbors & Civic Passion

North Avondale Neighborhood Association
 617 Clinton Springs Ave.
 Cincinnati, Ohio 45229-1324



- First Thursday of each month at 2:00pm, Rental Housing Meeting, District 4 Police Station 4150 Reading Rd.
- Tuesday, December 9, 7:30pm, NANA GENERAL MEETING 617 Clinton Springs
- December 17, District 4 Resource Meeting, 6:30pm Police Station - 4150 Reading Rd.
- January 13, 7:30pm, NANA GENERAL MEETING 617 Clinton Springs

NANA CALENDAR